

Article - Transportation

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§22–412.4.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Seat belt” means a restraining device described under § 22–412 of this subtitle.
- (3) “Vehicle” means an emergency vehicle purchased or leased by the State, a county, municipality, or volunteer fire department or rescue squad and operated by a:
 - (i) State, county, or municipal fire department;
 - (ii) Volunteer fire department; or
 - (iii) Rescue squad.
- (b) A vehicle registered in the State and manufactured and assembled after January 1, 1990 shall be equipped with a seat belt or safety restraining device approved by the local authority having jurisdiction for each position on the vehicle that may be lawfully occupied by a passenger.
- (c) (1) The failure of a person to use a seat belt or restraining device required under this section may not:
 - (i) Be considered evidence of negligence;
 - (ii) Be considered evidence of contributory negligence;
 - (iii) Limit liability of a party or an insurer;
 - (iv) Diminish recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle; or
 - (v) Be considered a moving violation for purposes of § 16–402 of this article.
- (2) Subject to the provisions of paragraph (3) of this subsection, a party, witness, or counsel may not make reference to a seat belt during a trial of a civil action that involves property damage, personal injury, or death if the damage,

injury, or death is not related to the design, manufacture, installation, supplying, or repair of a seat belt required under this section.

(3) (i) Nothing contained in this subsection may be construed to prohibit the right of a person to institute a civil action for damages against a dealer, manufacturer, distributor, factory branch, or other appropriate entity arising out of an incident that involves a defectively installed or defectively operating seat belt.

(ii) In a civil action in which 2 or more parties are named as joint tort-feasors, interpleaded as defendants, or impleaded as defendants, and 1 of the joint tort-feasors or defendants is not involved in the design, manufacture, installation, supplying, or repair of a seat belt, a court shall order separate trials to accomplish the ends of justice on a motion of any party.

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